

Senate Chamber, Atlanta, Georgia
Tuesday, February 21, 2006
Twenty-first Legislative Day

The Senate met pursuant to adjournment at 1:00 p.m. today and was called to order by the President.

Senator Stephens of the 27th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Rivers, the Clerk thereof:

Mr. President:

The House has passed by the requisite constitutional majority the following Bills of the House:

HB 57. By Representatives Ralston of the 7th and Powell of the 29th:

A BILL to be entitled an Act to amend Article 2 of Chapter 10 of Title 17 of the Official Code of Georgia Annotated, relating to the death penalty generally, so as to protect physicians and medical professionals involved in state ordered executions from challenges to their licensure solely on the basis of their participation in such executions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1151. By Representatives Cole of the 125th, Roberts of the 154th, Smith of the 129th and Golick of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the Board of Trustees of the Employees' Retirement System of Georgia shall be the successor to the Employee Benefit Council for the purpose of administering certain deferred compensation plans; to provide for the transfer of certain accounts and funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1312. By Representative Royal of the 171st:

A BILL to be entitled an Act to abolish the office of elected county surveyor of Mitchell County pursuant to Code Section 36-7-2.1 of the O.C.G.A.; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1322. By Representatives Holt of the 112th, Mumford of the 95th and Lunsford of the 110th:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of Covington; to provide for a short title; to provide for the purposes of said district or districts; to provide for definitions; to provide for a board to administer said district or districts; to provide for the appointment and election of members of said board or boards; to provide for taxes, fees, and assessments; to provide for establishment of the boundaries of said district or districts; to provide for a tax cap; to specify conditions whereby the continued existence of the district or districts or the continued existence of any one or more of the powers granted to the district or districts may be terminated; to repeal conflicting laws; and for other purposes.

HB 1324. By Representatives Fleming of the 117th, Burmeister of the 119th and Harbin of the 118th:

A BILL to be entitled an Act to repeal an Act creating a Small Claims Court in and for Columbia County, approved February 28, 1973 (Ga. L. 1973, p. 2032); to repeal conflicting laws; and for other purposes.

HB 1327. By Representatives Warren of the 122nd, Murphy of the 120th, Burmeister of the 119th, Howard, E. of the 121st and Anderson of the 123rd:

A BILL to be entitled an Act to authorize the consolidated government of Augusta, Georgia, to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

- HB 1328. By Representatives Fleming of the 117th, Burmeister of the 119th and Harbin of the 118th:

A BILL to be entitled an Act to amend an Act creating the Magistrate Court of Columbia County, approved May 6, 2005 (Ga. L. 2005, p. 3959), so as to change the educational requirements for magistrates; to repeal conflicting laws; and for other purposes.

- HB 1329. By Representatives Holt of the 112th, Mumford of the 95th and Lunsford of the 110th:

A BILL to be entitled an Act to authorize the City of Covington to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

- HB 1332. By Representative Hanner of the 148th:

A BILL to be entitled an Act to provide that the chief magistrate of Terrell County shall have the authority to appoint a person other than the clerk of the superior court to serve as clerk of the Magistrate Court of Terrell County; to repeal conflicting laws; and for other purposes.

- HB 1333. By Representative Hanner of the 148th:

A BILL to be entitled an Act to provide that the judge of the Probate Court of Terrell County shall have the authority to appoint a person other than the clerk of the superior court to serve as clerk of the Probate Court of Terrell County; to repeal conflicting laws; and for other purposes.

- HB 1334. By Representatives Heard of the 114th, Kidd of the 115th and Smith of the 113th:

A BILL to be entitled an Act to authorize Athens-Clarke County to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1348. By Representatives Lucas of the 139th, Randall of the 138th, Graves of the 137th, Freeman of the 140th and Cole of the 125th:

A BILL to be entitled an Act to amend an Act entitled "Macon Water Commissioners Pension Plan," approved December 20, 1953 (Ga. L. 1953 November-December Session, p. 2831), as amended, particularly by an Act approved March 24, 1994 (Ga. L. 1994, p. 3946), so as to provide a severance option for persons who terminate membership in such plan; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted by the requisite constitutional majority the following Resolution of the House:

HR 1258. By Representatives Amerson of the 9th, Williams of the 4th, Reece of the 27th, Ralston of the 7th and Hembree of the 67th:

A RESOLUTION establishing the Appalachian Studies Center at North Georgia College and State University in Dahlonega as Georgia's official Appalachian Studies Center; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 390. By Senators Chance of the 16th, Moody of the 56th, Carter of the 13th, Unterman of the 45th, Staton of the 18th and others:

A BILL to be entitled an Act to amend Part 4 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to financing for quality basic education, so as to require local school systems to spend a minimum amount of operating funds on direct classroom expenditures; to provide a short title; to provide for definitions; to provide for incremental compliance; to provide for a one-year waiver to compliance; to provide for sanctions for noncompliance; to provide for the submission of budget and expenditure information; to provide for rules and regulations; to change certain provisions relating to expenditure controls for fiscal years 2007 and 2008; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 571. By Senators Wiles of the 37th and Hill of the 32nd:

A BILL to be entitled an Act to amend an Act creating the Cobb Judicial Circuit, approved February 19, 1951 (Ga. L. 1951, p. 184), as amended, particularly by an Act approved May 5, 2005 (Ga. L. 2005, p. 3659), so as to provide for the supplement to be paid to each of the judges of the superior court of said circuit and an additional supplement for the chief judge of said circuit; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

SB 572. By Senators Goggans of the 7th, Stephens of the 27th, Williams of the 19th, Douglas of the 17th, Pearson of the 51st and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to establish and define a crime of medical assistance managed care fraud; to change certain provisions relating to administrative hearings and appeals; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

SB 573. By Senators Carter of the 13th and Cagle of the 49th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, so as to provide that the seller may withdraw escrow funds in excess of 1 percent of the purchase price of a condominium in order to fund construction and development of the condominium property; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Special Judiciary Committee.

SB 574. By Senators Bulloch of the 11th, Tolleson of the 20th, Carter of the 13th and Meyer von Bremen of the 12th:

A BILL to be entitled an Act to amend Chapter 31 of Title 36 of the Official Code of Georgia Annotated, relating to incorporation of municipal corporations, so as to provide that no municipal corporation shall be incorporated which has the same name as an existing municipal corporation or a name which is confusingly similar to that of an existing municipal

corporation; to provide for certification of compliance; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations (General) Committee.

SB 575. By Senators Harp of the 29th, Hooks of the 14th, Thomas of the 54th, Heath of the 31st, Grant of the 25th and others:

A BILL to be entitled an Act to amend Article 10 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to the Metropolitan North Georgia Water Planning District, so as to change certain provisions relating to a water supply and water conservation management plan for the district; to repeal conflicting laws; and for other purposes.

Referred to the Natural Resources and the Environment Committee.

SB 576. By Senators Miles of the 43rd, Tate of the 38th, Butler of the 55th, Fort of the 39th, Jones of the 10th and others:

A BILL to be entitled an Act to amend Chapter 5A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for the submission of data relating to an individual's employer for applicants and their dependents receiving health care benefits under the state Medicaid program, PeachCare for Kids Program, or any other state funded or administered health care program; to provide that the Department of Community Health submit an annual report to the General Assembly regarding the data relating to the employers; to provide that the report shall be available to any member of the public upon request; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Insurance and Labor Committee.

SB 577. By Senators Hudgens of the 47th and Kemp of the 46th:

A BILL to be entitled an Act to amend an Act entitled "An Act to create a board of commissioners of roads and revenues of Madison County, Georgia," approved March 27, 1965 (Ga. L. 1965, p. 2667), as amended, particularly by an Act approved March 28, 1985 (Ga. L. 1985, p. 4802), an Act approved March 24, 1988 (Ga. L. 1988, p. 4692), and an Act approved March 30, 1989 (Ga. L. 1989, p. 4716), so as to provide for a quorum; to allow for the vote of the chairperson; to abolish the office of treasurer; to authorize the position of chief financial officer; to provide for salaries and expenses; to provide for the establishment of policies; to provide for public hearings; to provide for a

referendum; to provide for the submission of this Act to the United States Department of Justice for approval; to provide for effective dates and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

SB 578. By Senators Whitehead, Sr. of the 24th, Cagle of the 49th, Hudgens of the 47th, Tolleson of the 20th and Stephens of the 27th:

A BILL to be entitled an Act to amend Chapter 15 of Title 12 of the O.C.G.A., relating to sewage holding tanks, and Chapter 2 of Title 31 of the O.C.G.A., relating to the Department of Human Resources, so as to provide that a commercial waste tank truck receiving or disposing of commercial waste may be inspected and permitted annually pursuant to rules and regulations promulgated by the Department of Human Resources; to provide for certain provisions allowing for the satisfaction of Title 12 inspection requirements by inspections required in Title 31; to provide for certain provisions allowing for the satisfaction of Title 31 inspection requirements by inspections required in Title 12; to provide that inspections satisfied in one county or municipality in the state shall be accepted throughout the state; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Transportation Committee.

SB 579. By Senators Miles of the 43rd, Tate of the 38th, Butler of the 55th, Fort of the 39th, Jones of the 10th and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to require employers to annually report to the commissioner of community health information regarding employees and health care coverage; to provide for definitions; to provide for funds to be paid to the state by employers that do not spend a certain percentage of wages on health care benefits for their employees; to provide for penalties; to provide for powers, duties, and authority of the commissioner of community health; to provide for related matters; to provide for a contingent effective date; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Insurance and Labor Committee.

SB 580. By Senator Reed of the 35th:

A BILL to be entitled an Act to amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors, so as to provide for new provisions relating to the licensing of such professionals; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Regulated Industries and Utilities Committee.

The following House legislation was read the first time and referred to committee:

HB 57. By Representatives Ralston of the 7th and Powell of the 29th:

A BILL to be entitled an Act to amend Article 2 of Chapter 10 of Title 17 of the Official Code of Georgia Annotated, relating to the death penalty generally, so as to protect physicians and medical professionals involved in state ordered executions from challenges to their licensure solely on the basis of their participation in such executions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Judiciary Committee.

HB 1151. By Representatives Cole of the 125th, Roberts of the 154th, Smith of the 129th and Golick of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the Board of Trustees of the Employees' Retirement System of Georgia shall be the successor to the Employee Benefit Council for the purpose of administering certain deferred compensation plans; to provide for the transfer of certain accounts and funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Retirement Committee.

HB 1312. By Representative Royal of the 171st:

A BILL to be entitled an Act to abolish the office of elected county surveyor of Mitchell County pursuant to Code Section 36-7-2.1 of the O.C.G.A.; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1322. By Representatives Holt of the 112th, Mumford of the 95th and Lunsford of the 110th:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of Covington; to provide for a short title; to provide for the purposes of said district or districts; to provide for definitions; to provide for a board to administer said district or districts; to provide for the appointment and election of members of said board or boards; to provide for taxes, fees, and assessments; to provide for establishment of the boundaries of said district or districts; to provide for a tax cap; to specify conditions whereby the continued existence of the district or districts or the continued existence of any one or more of the powers granted to the district or districts may be terminated; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1324. By Representatives Fleming of the 117th, Burmeister of the 119th and Harbin of the 118th:

A BILL to be entitled an Act to repeal an Act creating a Small Claims Court in and for Columbia County, approved February 28, 1973 (Ga. L. 1973, p. 2032); to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1327. By Representatives Warren of the 122nd, Murphy of the 120th, Burmeister of the 119th, Howard, E. of the 121st and Anderson of the 123rd:

A BILL to be entitled an Act to authorize the consolidated government of Augusta, Georgia, to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to

provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1328. By Representatives Fleming of the 117th, Burmeister of the 119th and Harbin of the 118th:

A BILL to be entitled an Act to amend an Act creating the Magistrate Court of Columbia County, approved May 6, 2005 (Ga. L. 2005, p. 3959), so as to change the educational requirements for magistrates; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1329. By Representatives Holt of the 112th, Mumford of the 95th and Lunsford of the 110th:

A BILL to be entitled an Act to authorize the City of Covington to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1332. By Representative Hanner of the 148th:

A BILL to be entitled an Act to provide that the chief magistrate of Terrell County shall have the authority to appoint a person other than the clerk of the superior court to serve as clerk of the Magistrate Court of Terrell County; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1333. By Representative Hanner of the 148th:

A BILL to be entitled an Act to provide that the judge of the Probate Court of Terrell County shall have the authority to appoint a person other than the clerk

of the superior court to serve as clerk of the Probate Court of Terrell County; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1334. By Representatives Heard of the 114th, Kidd of the 115th and Smith of the 113th:

A BILL to be entitled an Act to authorize Athens-Clarke County to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HB 1348. By Representatives Lucas of the 139th, Randall of the 138th, Graves of the 137th, Freeman of the 140th and Cole of the 125th:

A BILL to be entitled an Act to amend an Act entitled "Macon Water Commissioners Pension Plan," approved December 20, 1953 (Ga. L. 1953 November-December Session, p. 2831), as amended, particularly by an Act approved March 24, 1994 (Ga. L. 1994, p. 3946), so as to provide a severance option for persons who terminate membership in such plan; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the State and Local Governmental Operations Committee.

HR 1258. By Representatives Amerson of the 9th, Williams of the 4th, Reece of the 27th, Ralston of the 7th and Hembree of the 67th:

A RESOLUTION establishing the Appalachian Studies Center at North Georgia College and State University in Dahlonega as Georgia's official Appalachian Studies Center; and for other purposes.

Referred to the Higher Education Committee.

The following committee reports were read by the Secretary:

Mr. President:

The Agriculture and Consumer Affairs Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 229 Do Pass by substitute

Respectfully submitted,
Senator Bulloch of the 11th District, Chairman

Mr. President:

The Higher Education Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 415 Do Pass by substitute

Respectfully submitted,
Senator Harp of the 29th District, Chairman

Mr. President:

The Insurance and Labor Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 412 Do Pass as amended
SB 472 Do Pass

Respectfully submitted,
Senator Hudgens of the 47th District, Chairman

Mr. President:

The Judiciary Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 989 Do Pass

Respectfully submitted,
Senator Smith of the 52nd District, Chairman

Mr. President:

The Natural Resources and the Environment Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 434 Do Pass
SR 818 Do Pass

Respectfully submitted,
Senator Tolleson of the 20th District, Chairman

Mr. President:

The Public Safety and Homeland Security Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 1032 Do Pass
SB 454 Do Pass
SB 481 Do Pass

Respectfully submitted,
Senator Kemp of the 46th District, Chairman

Mr. President:

The Regulated Industries and Utilities Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 547 Do Pass by substitute

Respectfully submitted,
Senator Seabaugh of the 28th District, Chairman

Mr. President:

The Retirement Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 400 Do Pass
HB 1020 Do Pass

Respectfully submitted,
Senator Heath of the 31st District, Chairman

Mr. President:

The State and Local Governmental Operations Committee has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 816	Do Pass	HB 1265	Do Pass
HB 1207	Do Pass	SB 501	Do Pass

Respectfully submitted,
Senator Wiles of the 37th District, Chairman

The following legislation was read the second time:

HB 718	SB 376	SB 445	SB 456	SB 545	SR 864
HB 978	SB 419	SB 455	SB 480		

Senator Hooks of the 14th asked unanimous consent that Senator Starr of the 44th be excused. The consent was granted, and Senator Starr was excused.

Senator Stoner of the 6th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Meyer von Bremen of the 12th asked unanimous consent that Senator Golden of the 8th be excused. The consent was granted, and Senator Golden was excused.

Senator Tolleson of the 20th asked unanimous consent that Senator Bulloch of the 11th be excused. The consent was granted, and Senator Bulloch was excused.

Senator Schaefer of the 50th asked unanimous consent that Senator Balfour of the 9th be excused. The consent was granted, and Senator Balfour was excused.

Senator Schaefer of the 50th asked unanimous consent that Senator Pearson of the 51st be excused. The consent was granted, and Senator Pearson was excused.

Senator Seay of the 34th asked unanimous consent that Senator Reed of the 35th be excused. The consent was granted, and Senator Reed was excused.

The roll was called and the following Senators answered to their names:

Adelman	Hill,Jack	Smith
Brown	Hill,Judson	Staton
Butler	Hooks	Stephens

Cagle	Hudgens	Stoner
Carter	Johnson	Tarver
Chance	Jones	Tate
Chapman	Kemp	Thomas,D
Douglas	Me V Bremen	Thomas,R
Fort	Miles	Thompson,S
Goggans	Moody	Tolleson
Golden	Mullis	Unterman
Grant	Powell	Weber
Hamrick	Rogers	Whitehead
Harbison	Schaefer	Wiles
Harp	Seabaugh	Williams
Heath	Seay	Zamarripa
Henson	Shafer,D	

Not answering were Senators:

Balfour (Excused)	Bulloch (Excused)	Pearson (Excused)
Reed (Excused)	Starr (Excused)	Thompson, C (Excused)

The members pledged allegiance to the flag.

Senator Hill of the 4th introduced the chaplain of the day, Reverend Max Alderman of Statesboro, Georgia, who offered scripture reading and prayer.

Senator Staton of the 18th recognized the family of Corporal William Grady Taylor, honored by SR 667, adopted previously.

Senator Miles of the 43rd recognized Elisabeth Williams-Omilami and Afemo Omilami, commended by SR 707, adopted previously.

Senator Hill of the 32nd introduced the doctor of the day, Dr. James Hornsby.

Senator Chance of the 16th recognized the Peachtree City Police Department, commended by SR 805, adopted previously.

The following resolution was read and adopted:

SR 947. By Senator Adelman of the 42nd:

A RESOLUTION commending the Truancy Intervention Project; and for other purposes.

Senator Adelman of the 42nd recognized Jessica Pennington and other representatives of the Truancy Intervention Project, commended by SR 947.

Senator Shafer of the 48th introduced Kathy Evans and other representatives of Hall County, commended by SR 859, adopted previously.

The following resolutions were read and adopted:

SR 939. By Senator Bulloch of the 11th:

A RESOLUTION commemorating the 150th anniversary of the founding of Colquitt County; and for other purposes

SR 940. By Senators Bulloch of the 11th, Tolleson of the 20th, Carter of the 13th, Cagle of the 49th, Pearson of the 51st and others:

A RESOLUTION recognizing and commending the Future Farmers of America; and for other purposes

SR 941. By Senator Meyer von Bremen of the 12th:

A RESOLUTION commending the Randolph-Clay High School boys basketball team and their coach, Joe Williams; and for other purposes

SR 942. By Senator Schaefer of the 50th:

A RESOLUTION recognizing and commending the Habersham County Farm Bureau; and for other purposes.

SR 943. By Senators Hill of the 4th and Douglas of the 17th:

A RESOLUTION declaring support for dedicating the Statesboro Armory to the memory of Brigadier General Terrell T. Reddick; and for other purposes.

SR 944. By Senator Rogers of the 21st:

A RESOLUTION commending Stephen Drew Wagner on becoming an Eagle Scout; and for other purposes.

SR 945. By Senator Tolleson of the 20th:

A RESOLUTION commending the State of Israel in its fight against terrorism; and for other purposes.

SR 946. By Senator Jones of the 10th:

A RESOLUTION commending the Southwest DeKalb High School "Marching Panther" Band; and for other purposes.

Senator Douglas of the 17th asked unanimous consent that the following bills be withdrawn from the Senate Public Safety and Homeland Security Committee and committed to the Senate Veterans and Military Affairs Committee:

SB 538. By Senator Douglas of the 17th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige and special license plates for certain persons and vehicles, so as to provide for special license plates supporting the Global War on Terrorism and Iraqi freedom; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such license plates; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 539. By Senator Douglas of the 17th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige and special license plates for certain persons and vehicles, so as to provide for special license plates supporting the Global War on Terrorism and Operation Enduring Freedom; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such license plates; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 523. By Senators Grant of the 25th, Seabaugh of the 28th, Douglas of the 17th, Schaefer of the 50th, Harp of the 29th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to prestige license plates and special plates for certain persons and vehicles, so as to provide for a special license plate honoring the family members of service members who have been killed in action; to provide for issuance, renewal, fees, licensing agreements, applications, and transfers relative to such special license plates; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The consent was granted, and SB 538, SB 539 and SB 523 were committed to the Senate Veterans and Military Affairs Committee.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Tuesday, February 21, 2006

Twenty-first Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 501 Hill of the 32nd
 Reed of the 35th
 Zamarripa of the 36th
 Tate of the 38th
 Fort of the 39th
 Shafer of the 48th
 Moody of the 56th
FULTON COUNTY

A BILL to be entitled an Act to amend an Act to supplement the salaries of the judges of the Superior Court of Fulton County, approved March 8, 1945 (Ga. L. 1945, p. 1076), as amended, so as to increase the amount of such supplement; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 816 Bulloch of the 11th
CITY OF CAIRO IN GRADY COUNTY

A BILL to be entitled an Act to reincorporate and provide a new charter for the City of Cairo in Grady County, Georgia; to provide for boundaries and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide for ordinances and codes; to provide for the office of mayor and certain duties and powers relative to the office of mayor; to provide for administrative responsibilities; to provide for boards, commissions, and authorities; to provide for a city attorney, a city clerk, a city manager, and other personnel; to provide for other matters relative to the foregoing; to repeal a specific Act; to repeal conflicting laws; and for other purposes.

HB 1207

Schaefer of the 50th
CITY OF HARTWELL

A BILL to be entitled an Act to amend the "City of Hartwell Recreation Authority Act," approved April 4, 1996 (Ga. L. 1996, p. 3998), so as to authorize the Hartwell Recreation Authority to lease, sell, transfer, or otherwise dispose of real or tangible personal property owned by the authority; to provide for the disposition of proceeds resulting from the transfer of ownership interests of such property; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1265

Stoner of the 6th
 Rogers of the 21st
 Hill of the 32nd
 Thompson of the 33rd
 Wiles of the 37th
COBB COUNTY

A BILL to be entitled an Act to amend an Act changing the compensation of the clerk of the superior court, the sheriff, and the judge of the Probate Court of Cobb County from the fee system to the salary system, approved February 9, 1949 (Ga. L. 1949, p. 427), as amended, particularly by an Act approved May 5, 2005 (Ga. L. 2005, p. 3620), so as to change the compensation of the chief deputy sheriff, the chief investigator, and the executive assistant to the sheriff; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Adelman
 E Balfour
 Y Brown
 Y Bulloch
 Butler
 Y Cagle
 Y Carter
 Y Chance
 Y Chapman

Y Hill,Jack
 Y Hill,Judson
 Y Hooks
 Y Hudgens
 Y Johnson
 Y Jones
 Y Kemp
 Y Me V Bremen
 Y Miles

Y Smith
 E Starr
 Y Staton
 Y Stephens
 Y Stoner
 Y Tarver
 Y Tate
 Y Thomas,D
 Y Thomas,R

Y Douglas	Y Moody	Y Thompson,C
N Fort	Y Mullis	Y Thompson,S
Y Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the passage of the local legislation, the yeas were 52, nays 1.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR
TUESDAY, FEBRUARY 21, 2006
TWENTY-FIRST LEGISLATIVE DAY

SR 760	Dr. Eddie Marlow Medical Clinic; dedicate (SI&P-54th)
SR 823	Public Property; conveyance; 13 counties (SI&P-25th)
HB 1137	House Districts 46, 48, 50, and 51; provide for composition (R&R-21st) Geisinger-48th

Respectfully submitted,

/s/ Balfour of the 9th, Chairman
Senate Rules Committee

Senator Moody of the 56th asked unanimous consent that Senator Goggans of the 7th be excused. The consent was granted, and Senator Goggans was excused.

The following legislation was read the third time and put upon its passage:

SR 760. By Senators Thomas of the 54th and Mullis of the 53rd:

A RESOLUTION honoring the memory of Dr. Eddie Marlow and designating the Dalton Regional Youth Detention Center Medical Clinic as the Dr. Eddie Marlow Medical Clinic; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
E Balfour	Y Hill,Judson	E Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Moody	Y Thompson,C
Y Fort	Y Mullis	Y Thompson,S
E Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead
Y Harbison	Y Schaefer	Y Wiles
Y Harp	Y Seabaugh	Y Williams
Y Heath	Y Seay	Y Zamarripa
Y Henson	Y Shafer,D	

On the adoption of the resolution, the yeas were 52, nays 0.

SR 760, having received the requisite constitutional majority, was adopted.

The following communication was read by the Secretary:

Senator Dan Moody
District 56
421-C State Capitol
Atlanta, GA 30334

Committees:

Education and Youth
Insurance and Labor
Appropriations
Rules
Ethics
Reapportionment and Redistricting

The State Senate
Atlanta, Georgia 30334

February 21, 2006

Mr. Bob Ewing
Secretary of the Senate

Dear Mr. Secretary:

During the vote on SR 760, I was having difficulty voting and consequently was not able to cast my support for this legislation. Please reflect my support of the legislation in our Journal.

/s/ Dan Moody

SR 823. By Senators Grant of the 25th, Stephens of the 27th, Thomas of the 54th, Golden of the 8th, Williams of the 19th and others:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Appling County, Georgia; Baldwin and Wilkinson County, Georgia; Bibb County, Georgia; Bulloch County, Georgia; Emanuel County, Georgia; Fannin County, Georgia; Forsyth County, Georgia; Gilmer County, Georgia; Gwinnett County, Georgia; Lowndes County, Georgia; Screven County, Georgia; Terrell County, Georgia; Whitfield County, Georgia; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Adelman	Y Hill,Jack	Y Smith
E Balfour	Y Hill,Judson	E Starr
Y Brown	Y Hooks	Y Staton
Y Bulloch	Y Hudgens	Y Stephens
Y Butler	Y Johnson	Y Stoner
Y Cagle	Y Jones	Y Tarver
Y Carter	Y Kemp	Y Tate
Y Chance	Y Me V Bremen	Y Thomas,D
Y Chapman	Y Miles	Y Thomas,R
Y Douglas	Y Moody	Y Thompson,C
Y Fort	Y Mullis	Y Thompson,S
E Goggans	Y Pearson	Y Tolleson
Y Golden	Y Powell	Y Unterman
Y Grant	Y Reed	Y Weber
Y Hamrick	Y Rogers	Y Whitehead

Y Harbison
Y Harp
Y Heath
Y Henson

Y Schaefer
Y Seabaugh
Y Seay
Y Shafer,D

Y Wiles
Y Williams
Y Zamarripa

On the adoption of the resolution, the yeas were 53, nays 0.

SR 823, having received the requisite constitutional majority, was adopted.

HB 1137. By Representatives Geisinger of the 48th, Jones of the 46th, Rice of the 51st and Burkhalter of the 50th:

A BILL to be entitled an Act to provide for the composition of state house districts and, in particular, House Districts 46, 48, 50, and 51; to provide for the election of such Representatives; to provide when such Representatives so elected shall take office; to provide for the continuation of present house districts until a certain time; to provide for other related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Rogers of the 21st.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Adelman
E Balfour
N Brown
Y Bulloch
N Butler
Y Cagle
Y Carter
Y Chance
Y Chapman
Y Douglas
N Fort
Y Goggans
N Golden
Y Grant
Y Hamrick

Y Hill,Jack
Y Hill,Judson
N Hooks
Y Hudgens
Y Johnson
N Jones
Y Kemp
N Me V Bremen
N Miles
Y Moody
Y Mullis
Y Pearson
N Powell
N Reed
Y Rogers

Y Smith
E Starr
Y Staton
Y Stephens
N Stoner
N Tarver
N Tate
Y Thomas,D
N Thomas,R
N Thompson,C
N Thompson,S
Y Tolleson
Y Unterman
Y Weber
Y Whitehead

N Harbison

Y Schaefer

Y Wiles

Y Harp

Y Seabaugh

Y Williams

Y Heath

N Seay

N Zamarripa

N Henson

Y Shafer,D

On the passage of the bill, the yeas were 33, nays 21.

HB 1137, having received the requisite constitutional majority, was passed.

Senator Williams of the 19th moved that the Senate adjourn until 10:00 a.m. Wednesday, February 22, 2006.

The motion prevailed, and the President announced the Senate adjourned at 2:38 p.m.